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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/690,367  | 10/16/2000  | Billy P. Taylor      | 1005.9              | 3086             |
| 53953   | 7590        | 04/06/2006           | EXAMINER            |                  |
| DAVIS LAW GROUP, P.C.<br>9020 N. CAPITAL OF TEXAS HWY.<br>BUILDING 1, SUITE 375<br>AUSTIN, TX 78759 |             |                      | LUDWIG, MATTHEW J   |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2178                |                  |

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/690,367

Applicant(s)

TAYLOR, BILLY P.

Examiner

Matthew J. Ludwig

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-12,20-24 and 32-48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-12,20-24 and 32-48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/2/06.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is in response to the RCE filed 3/28/06.
2. The rejection of Claims 8-12, 20-24, 32-48 under 35 U.S.C. 103(a) as being unpatentable over Hennings in view of Robertson have been withdrawn as necessitated by applicant's amendment.
3. Claims 8-12, 20-24, and 32-48 are pending in the application. Claims 11, 23, and 35, are independent claims.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 8-12, 20-24, 32-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hennings et al., USPN 6,763,496 filed (3/31/99) in view of Schilit et al., USPN 6,356,922 filed (6/19/1998).**

**In reference to independent claim 11, Hennings teaches:**

A web server program to provide access to the documents. A web server program is a computer program that allows a computer on the network to make documents available to the rest of the WWW or a private network. The documents are often hypertext documents in the HTML language, but may be other types of document objects as well, and may include images, audio, and/or video information. The information that is managed by the Web server includes

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*paper*”). See column 4, lines 54-67. The reference utilizes a web server for storing various kinds of documents. Because HTML documents were known at the time the invention was made, to provide users with versions of papers, it would have been obvious to one of ordinary skill in the art to provide a web server to store various document objects and offer a user the added benefit of having multiple types of documents with contextual information to help the user to decide whether to visit the linked document.

Internet web browsers translate the HTML content of web page documents in order to display web pages. The HTML document contains a variety of markup and tag elements that are retrieved and interpreted by the web browser, resulting in a display page (compare to *“translating the first version into a second version of the paper, the second version being displayable on a display device as a likeness of the paper”*). See column 11, lines 10-20.

The data promotion engine parses through the content of the design page document in search of category\_bot entries. When the data promotion engine comes to a “category\_bot” entry, it parses through the contextual information files on the site to identify any documents that are assigned to a category matching the category indicated by the category\_bot entry (compare to *“in response to content within the first version, detecting a reference by the content at a first location within the paper, the detected reference being associated with a second location”*). See column 17, lines 1-15.

The data promotion engine then generates the HTML code to insert hyperlinks into the pages that have been assigned to the matching category (compare to *“forming a link within the second version between the first location and the second location, and the first...”*). See column 17, lines 1-24. The reference provides a user with back links; however, it does so

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through the use of a URL. Schilit provides a way to create hyperlinks through the scanning of documents. See column 5, lines 1-67 and column 6, lines 1-67. The reference detects a reference to another document, not through a URL, but through the detection of annotations. This provides the author with references back to other information. It would have been obvious to one of ordinary skill in the art, having the teachings of Hennings and Schilit before him at the time the invention was made, to modify the Contextual information to include the detection of links through the use of annotations, because it would have provided a method of inferring a user's interest from annotations as well as past search queries.

**In reference to dependent claim 8, Hennings teaches:**

Hypertext links correspond to the parent documents of rhino.htm file and hippo.hym file respectively. A similar set of hypertext links are created that correspond to category list components. See column 17, 25-35.

**In reference to dependent claim 9, Hennings teaches:**

The browser contains JAVA script for displaying the design page on a browser. The data promotion engine is invoked to generate hyperlinks that correspond to each of the category list components in a given design page. See column 17, lines 1-13.

**In reference to dependent claim 10, Hennings teaches:**

Hypertext links correspond to the parent documents of rhino.htm file and hippo.hym file respectively. A similar set of hypertext links are also created that correspond to category list components. See column 17, 25-35.

**In reference to dependent claim 37, 41, and 45, Hennings teaches:**

Hypertext links correspond to the parent documents of rhino.htm file and hippo.hym file respectively. A similar set of hypertext links are created that correspond to category list components. See column 17, 25-35.

**In reference to dependent claim 38, 42, and 46,** and Hennings teaches:

A web server program to provide access to the documents. A web server program is a computer program that allows a computer on the network to make documents available to the rest of the WWW or a private network. The documents are often hypertext documents in the HTML language, but may be other types of document objects as well, and may include images, audio, and/or video information. The information that is managed by the Web server includes hypertext documents that are stored on the server. See column 4, lines 54-67.

**In reference to dependent claim 39, 43, and 47,** Hennings teaches:

A web server program to provide access to the documents. A web server program is a computer program that allows a computer on the network to make documents available to the rest of the WWW or a private network. The documents are often hypertext documents in the HTML language, but may be other types of document objects as well, and may include images, audio, and/or video information. The information that is managed by the Web server includes hypertext documents that are stored on the server. See column 4, lines 54-67.

**In reference to dependent claim 40, 44, and 48,** Hennings teaches:

Internet web browsers translate the HTML content of web page documents in order to display web pages. The HTML document contains a variety of markup and tag elements that are retrieved and interpreted by the web browser, resulting in a display page. See column 11, lines 10-20.

**In reference to dependent claim 12**, Hennings teaches:

The data promotion engine keeps a record of the locations of the parent documents (the document to which the contextual information file corresponds). See column 17, lines 15-24.

**In reference to claims 20-24**, the claims reflect the system comprising computer readable instructions used for performing the methods as claimed in 8-12, respectively, and therefore are rejected under similar rationale.

**In reference to claims 32-36**, the claims reflect the computer program product comprising computer readable instructions used for performing the methods as claimed in 8-12, respectively, and therefore are rejected under similar rationale.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 8-12, 20-24, 32-48 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Ludwig whose telephone number is 571-272-4127. The examiner can normally be reached on 9:00am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ML

April 3, 2006

*William F. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**  
4/3/2006